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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**FAIR HOUSING COUNCIL OF  
ORANGE COUNTY, INC. , a  
California Not for Profit  
Corporation, and CATHERINE  
MAGDALENO,**

**Plaintiffs,**

**vs.**

**CADIGAN COMMUNITIES, LP,  
a California Limited Partnership,  
doing business as the MONTEREY  
PINES APARTMENTS; and  
STEPHANIE MURRAY,**

**Defendants.**

**Case No. SACV11-0488 AG(AGRx)**

**CONSENT DECREE**

Plaintiffs filed this action alleging that defendants engage in housing discrimination against families with minor children based on their familial status in the ownership and operation of the Monterey Pines Apartments in Tustin, California. Plaintiffs also alleged similar violations of the California Fair Employment and Housing Act, the Unruh Act, and other claims based on plaintiff Catherine Magdaleno's tenancy at the Monterey Pines Apartments.

Defendants have denied all material allegations and dispute liability. Neither the court nor any jury has made any findings or rulings on the merits.

In order to avoid the expense and time of prolonged litigation, the parties now

1 wish to resolve the case. The parties have requested that the court enter this consent  
2 decree in order to memorialize the terms of their agreement.

3 Based on the parties' stipulation, and good cause appearing therefor, **IT IS**  
4 **HEREBY ORDERED, ADJUDGED AND DECREED THAT:**

5 1. Defendants shall make a payment to plaintiffs in the amount of \$66,000  
6 (sixty-six thousand dollars) in the form of a check (or checks) made payable to the  
7 Attorney-Client Trust Account of Brancart & Brancart. This amount is inclusive of  
8 all damages and attorneys' fees to be paid to plaintiffs. The check(s) shall be delivered  
9 no later than seven days from entry of this order, to Brancart & Brancart, 8205  
10 Pescadero Road, Loma Mar, CA 94021.

11 2. Plaintiffs shall file dismissals of their claims in this action, subject to the  
12 terms of this consent decree and final order, within 10 days of having received all  
13 payments or issuance of this order, whichever date is later.

14 3. Plaintiffs and defendants shall execute mutual waivers and releases  
15 indicating that this consent decree constitutes a full and final settlement of any and all  
16 claims that they have related to the subject matter of this lawsuit. Those mutual  
17 waivers and releases shall include a waiver of all known and unknown claims and a  
18 waiver of the rights of all parties under California Civil Code section 1542.

19 4. Defendants shall comply with the following terms and conditions:

20 i. Defendants shall be prohibited from engaging in unlawful  
21 discrimination in housing;

22 ii. Defendants shall rescind all previous versions of their house and pool  
23 rules, adopt the California Apartment Association ("CAA") model house rules and the  
24 modified version of the CAA pool rules that is attached hereto as Exhibit 1, and  
25 refrain from adopting any new house or pool rules that reflect an unlawful limitation  
26 based on familial status;

27 iii. Defendants shall include a statement in their rules to the effect that  
28 they are an equal opportunity housing provider and do not engage in housing

1 discrimination based on race, color, national origin or ethnicity, familial status,  
2 disability or handicap, gender, religion, marital status, age, sexual orientation, source  
3 of income, or any other forms of arbitrary discrimination. In all advertisements and  
4 vacancy listings, defendants shall include the fair housing tagline, "We're an equal  
5 opportunity housing provider," or words to that effect, or the equal housing  
6 opportunity symbol:



12 iv. Defendants shall provide a copy of the DFEH pamphlet entitled "Fair  
13 Housing: You are Protected Under California Law" (DFEH form 157H) to all  
14 prospective and current residents;

15 v. Defendants shall display a fair housing poster, HUD form 928, in a  
16 conspicuous location in the manager's office and another common area, such as the  
17 laundry room, at all buildings that they own or operate;

18 vi. Defendants shall attend and pay for all managers and any other agents  
19 or employees who have contact with residents or the public at buildings located in  
20 Orange County, to attend a fair housing training once per year conducted by the Fair  
21 Housing Council of Orange County;

22 vii. Defendants shall keep copies of all rental documents, including  
23 rental applications, supporting documentation, rental agreements, rules, notices, and  
24 eviction-related documents that they currently have in their possession, custody or  
25 control or obtain during the four-year duration of this order for not less than three  
26 years, and make them available upon request to any fair housing enforcement agency  
27 who has received a complaint of alleged discrimination by defendants;

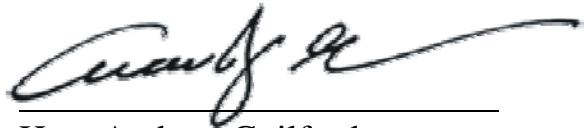
28 viii. Defendants shall provide a written letter or document to the Fair  
Housing Council once per year verifying that they have complied with the terms of

1 the consent decree for the previous year;

2 5. This order shall be in effect for a period of four years from the date of  
3 entry and the Court shall retain jurisdiction for purposes of enforcement. This order  
4 will terminate at the end of the four-year period.

5 6. In the event that a dispute arises regarding the terms of this order or a  
6 party believes that another party has breached its terms, the party who seeks  
7 clarification or enforcement shall provide at least 30 days notice to the opposing party  
8 and an opportunity to cure. The parties will engage in good faith attempts to resolve  
9 all disputes before requesting the assistance of the Court in resolving any disputes that  
10 arise under the terms of this order.

11 Dated: January 11, 2012

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15 Hon. Andrew Guilford  
16 U.S. District Court Judge  
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